FILED JAMES BONINI CLERK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO 05 APR 18 PM 4: 13 WESTERN DIVISION

SOUTHERN DIST OHIG WEST DIV CINGINNATI

DORMAN ANGEL, et al.

CIVIL ACTION NO. C-1-01-467

Plaintiffs

JUDGE: SANDRA S. BECKWITH

-VS-

PLAINTIFFS' DEPOSITION

UNITED PAPERWORKERS INTERNATIONAL UNION (PACE)

Defendants

TESTIMONY AND EXHIBITS UTILIZED IN SUPPORT OF THEIR

LOCAL 1967, et al.

MEMORANDUM IN OPPOSITION

TO DEFENDANT PACE LOCAL

5-1967'S AND PAPER, ALLIED

INDUSTRIAL, CHEMICAL &

ENERGY WORKERS UNION,

AFL-CIO'S MOTIONS FOR

SUMMARY JUDGMENT

Timothy Bray Deposition (Taken 11/29/04) 1.

Pages:

19

2. Timothy Bray Deposition (2d Dep.) (Taken 12/17/04)

Pages:

6 14

Exhibits:

2 5

Gerald Johnston

3.

Pages:

6

4. Ken Stanifer Deposition

> Pages: 12 13

53 57 Exhibits:

1 2

17

60

4

21

62

5

22

63

(Ken Stanifer Deposition)

Pages:	25	65
	29	76
	32	78
	33	79
	34	90
	35	123
	41	130
	52	141

5. Tom Stewart Deposition

Pages:	18
	25
	34
	62

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243

JACOBS, KLEINMAN, SEIBEL & MCNALLY

Trial Attorneys for Plaintiffs

2300 Kroger Building

1014 Vine Street

Cincinnati, OH 45202

Tele: (513) 381-6600

Fax: (513) 381-4150

E-mail: mbyrne@jksmlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Grant S. Cowan, Esquire Frost Brown Todd LLC Attorney for Defendant International Paper Company 2200 PNC Center 201 E. Fifth Street Cincinnati, OH 45202 gcowan@fbtlaw.com

Vincent J. Miraglia, Esquire International Paper Company Legal Department 6400 Poplar Avenue Memphis, TN 38197 vincent.miraglia@ipaper.com

W. Carter Younger, Esquire McGuire Woods LLP Attorney for Defendant International Paper Company One James Center 901 E. Cary Street Richmond, VA 23219 cyounger@mcguirewoods.com

James B. Robinson, Esquire Kircher, Robinson & Welch Attorney for Defendant PACE International Union 2520 Kroger Building 1014 Vine Street Cincinnati, OH 45202 kircher@fuse.net

Robert J. Hollingsworth, Esquire Cors & Bassett Attorney for Defendant Smart Papers, LLC 537 E. Pete Rose Way, Suite 400 Cincinnati, OH 45202 rjh@corsbassett.com

Stanley F. Lechner, Esquire Laine S. Posel, Esquire Morgan, Lewis & Bockius Attorney for Defendant Smart Papers, LLC 1111 Pennsylvania Avenue, N.W. Washington, DC 20004 slechner@morganlewis.com lposel@morganlewis.com

Robert I. Doggett, Esquire Attorney for Defendant PACE Local 5-1967 6740 Clough Pike, Room 200 Cincinnati, OH 45244 rdoggett@sprynet.com

Charles P. Groppe, Esquire Morgan, Lewis & Bockius Attorney for Defendant Smart Papers LLC 1111 Pennsylvania Avenue, NW Washington, DC 20004 cgroppe@morganlewis.com

I also certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

Ronald Morgan, Esquire Morgan & Associates 118 South Second Street Hamilton, OH 45011

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243 Attorney for Plaintiffs